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PTO/SB/30 (09-03)

**Request
For
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>Application Number</i>	09/762,491
<i>Filing Date</i>	May 9, 2001
<i>First Named Inventor</i>	Luo, Ying
<i>Art Unit</i>	1642
<i>Examiner Name</i>	Misook YU
<i>Attorney Docket Number</i>	021044-005510US

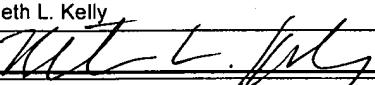
This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
 - a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/ Declaration(s)
2. **Miscellaneous**
 - a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 - a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-1430
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ _____ enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)

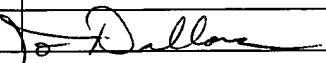
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization of PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Beth L. Kelly	Registration No. (Attorney/Agent)	51,868
Signature		Date	April 29, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print /Type)	Jo Ann Honcik Dallara		
Signature		Date	April 29, 2004

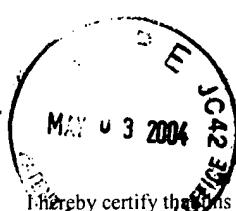
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02 FC:2252 210.00 DA

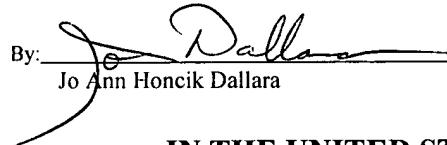


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On April 29, 2004

TOWNSEND and TOWNSEND and CREW LLP

By: 
Jo Ann Honcik Dallara

PATENT
Atty. Docket No.: 021044-005510US
Client Ref. No.:
P.0020.01.US.UT.NPC.RR

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Luo et al.

Application No.: 09/762,491

Filed: May 9, 2001

For: NOVEL APOPTOSIS PROTEINS

Customer No.: 20350

Confirmation No.

Examiner: Misook YU

Technology Center/Art Unit: 1642

AMENDMENT

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action mailed March 30, 2004, on the above-referenced application, please enter the following amendments and remarks. An IDS and references are also included herein.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.